

Special Education Advisory Panel Meeting Minutes

Office of Public Instruction
1300 11th Avenue Conference Room, Helena
May 5-6, 2011

Members in Attendance: Tim Norbeck, Vaughn Kauffman, Lora Griffin, Bob Stansberry, Dave Mahon, Christa Seger, Terry Galle, Cody Preston, Rena Steyaert, Sharon Tregidga

Excused Members: Mick Leary, Edith McClafferty, Erica Swanson, Pam Campbell, Jim Marks, Dustin Shipman

Non-Members in Attendance: Dennis Parman, Tim Harris, Frank Podobnik, Dick Trerise, Sara Casey, Francisco Roman, Doug Doty, Mary Gallagher, Paula Kitzke, Judy Snow, Jan Duiker, Karen Crogan, Anne Rainey, Marlene Wallis

Non-Members in Attendance from PLUK: Bobbie Thurston, Stephanie Luehr, Mary Hall, Tom Lymand, Melody Domphe, Eric Porter, Virginia DeLand. Also in attendance were Alexandra Volkorts, Attorney, Disability Rights Montana, and Andree Larose, Attorney.

Chairperson Tim Norbeck called the meeting to order at 8:30 a.m. The Panel members, OPI staff and visitors introduced themselves.

Thursday, May 5, 2011

The Panel reviewed the Proposed Agenda. Dave Mahon moved to accept the Proposed Agenda, Vaughn Kaufmann seconded the motion and the motion passed. The Proposed Agenda was accepted as written.

The Panel reviewed the Minutes of the January 13-14, 2011, Panel meeting. Vaughn Kauffman moved to accept the minutes, Rena Steyaert seconded the motion and the motion passed. The minutes of the January 13-14, 2011, Panel meeting were accepted as written.

OPI SPED Report

Tim Harris informed the Panel that interviews will soon be held for the Response to Intervention (RTI) position. He also noted that Sara Casey will be leaving the OPI, Division of Special Education. Sara will be moving to New York with her husband.

Tim reported that it appears there will be no increase/decrease in state Part B funds. Also, Part B/Preschool funding will probably have a 2 percent reduction.

Tim will meet May 12, 2011, in Missoula, with the 20 graduates with Master's in Sign Language Pathology.

Tim distributed a "Save the Date" flyer for a Webinar titled "Overview of the New Structure of OSEP's Continuous Improvement and Focused Monitoring System (CIFMS) and Stakeholder Involvement. The Webinar is scheduled for May 20, 2011.

OPI/LEGISLATURE Report

Deputy Superintendent Dennis Parman distributed a list of bills the OPI is following. He said that the list is updated twice daily. He noted that HJR 005 (Establish Montanans with Developmental Disabilities Appreciation Week) became law and SB 073 (Allow state-operated health care facilities with special education to establish maximum age) also passed. He said that the governor has publicly sworn to veto HB 316 (Redistribute certain revenue and income).

Deputy Superintendent Parman informed the Panel that HB 456 (Define scope/boundaries of human sexuality/reproductive education in K-12 public schools) was in the “Process to Attempt an Override of the Governor’s Veto.”

The list of bills is included with the file copy of the minutes.

Montana Developmental Disabilities Council

Sara Casey reported on the Montana Developmental Disabilities Council. There are 29 Montanans serving on the Council. The members were appointed by the Governor. The majority of the members are people with developmental disabilities and family members. Others represent agencies and groups that work on behalf of people with disabilities.

The Council was housed in state government since 1971; in 2003, the Montana Council on Developmental Disabilities left state government and became the first, documented nonprofit Council in the country.

Since the Council’s inception in 1971 the Council has allocated over 6 million dollars into Montana communities, state agencies, tribal governments and community-based providers of the Developmental Disabilities Service system.

Investments have been made in:

- Transportation. The lack of transportation options for persons with disabilities has been identified as a barrier. The Council created the *Montana Coordinated Transportation Handbook*, that has been nationally recognized.
- Graduate to Work. This is an employment option for transition-age youth, ages 14-22. It allows transition-age youth to graduate to something other than a waiting list for services—it allows a graduation to a job.
- License to Independence. This project provided persons the opportunity to take the driver’s education curriculum, the written examination and the driving test.
- Montana Youth Leadership Forum. This leadership opportunity has been successful, gathering youth from across Montana for an intensive two-week training opportunity.

Early Assistance Program Report

Mary Gallagher, Attorney/Special Education, Early Assistance Program (EAP), reported there were 13 complaints for FY 2010; four were settled in mediation; seven are still ongoing; and two were withdrawn. Types of allegations include abuse in Special Education Room to bringing a

weapon to school. Mary said that the Legal Services and Special Education Divisions continue to implement the Early Assistance Program.

The 16 IEP facilitations resolved the issues. Mary asked that if you are involved in any IEP facilitation, she would like to know. She said that if districts are having problems, they can e-mail her at the OPI. All input is helpful. Mary said that her office receives 15-20 calls a week regarding Early Assistance. Mary noted that resolving issues on good terms, without costly legal situations, is the basic concept of the Legal Services and Special Education Divisions.

Public Comment

The visitors at the Panel had input on several items. The Chairman informed the visitors that they were more than welcome to provide comments, but there could be no discussion at the regular meeting. If the questions they asked required answers, an OPI Special Education staff member could reply in writing or following the meeting there could be discussion. Some of the comments included: Criminalization of kids with disabilities; we know Early Intervention works; Emotional Disturbance—know they can't reprimand the same as regular education students; Evaluation—parents write letter for permission, OPI has influence—OPI has legal obligations; Improve dialogue between the OPI and stakeholders; Options are not open to Special Education graduating students; Following training in high school, it is lost after a few weeks if they are not using the training; Collect data on schools that use police; Calling police on kids with problems not criminal; would like to see the OPI take systemic complaints seriously, resolve at lowest point; include stakeholders in reviewing state plan; post upcoming dates of Panel meetings as soon as possible; invite stakeholders to meetings—there is less outreach to organizations; urge Panel to bring all stakeholders to table to help advise before making decisions.

Joint Meeting with CSPD State Council

The Panel met in a joint meeting with the CSPD Council and the Part C Family Support Services Advisory Council. John Copenhaver, Director, Technical Assistance for Excellence in Special Education (TAESE), Utah State University, facilitated the meeting. The meeting agenda included: Overviews from the Special Education Advisory Panel, the CSPD Council and the Part C FSSAC; Review of Collaboration Activities Between Part C and Part B; Emerging Regional and National Issues that Impact Part C and Part B; and Moving From a Focus on Compliance to Results: The OSEP Verification Process.

Friday, May 6, 2011

School Administrators of Montana Conference Room

Chairman Tim Norbeck called the meeting to order at 8:30 a.m.

Assessment Consortium

Judy Snow, State Assessment Director, presented a MONTCAS Update PowerPoint. Topics covered were: Grants; ESEA Reauthorization; Common Core Standards; and Assessment Consortium.

Grants. OPI Assessment Division applied for and received three grants to study accessibility design and formats for assessment based on modified achievement standards for students with individual education plans. In one of the grants, Montana partnered with four other states.

ESEA Reauthorization. Judy informed the Panel that modified achievement standards are not in the proposed ESEA reauthorization.

Common Core Standards. Judy said that three alignment studies show good alignment to the most recent Montana standards and standards that address Indian Education for All.

Assessment Consortium. A year ago, Montana applied for a Race to the Top consortium grant, but did not receive one. However, Montana is part of a 31-member states assessment consortium which applied for and was awarded a Race to the Top grant for multiple state consortia. Montana is part of the Smarter Balanced Assessment Consortium (SBAC) which is developing a set of comprehensive and innovative assessments for grades 3-8 and high school in English language arts and mathematics aligned to the Common Core State Standards—so that all students leave high school prepared for postsecondary success in college or a career through increased student learning and improved teaching. The assessments shall be operational across Consortium states in the 2014-15 school year. Judy said the assessments are currently being developed and include Online Adaptive Summative Assessments, Online Adaptive Interim Assessments, and online Formative Processes and Tools and Professional Development.

The benefits of a multi-state consortium are less cost and more capabilities through work sharing and collaboration.

Judy distributed information regarding “Online Class Offering: Standards-Based IEPs.” A summer class will be presented online by Gail McGregor of the University of Montana on Standards-Based IEPs. You can contact Karen Richem for information at krichem@mt.gov or 406-444-0748.

Traumatic Brain Injury Council

Francisco Román has been the OPI representative to the Governor’s Council on Traumatic Brain Injury (TBI) for four years. The Council is made up of the following members: Director of the DPHHS or a designee; Superintendent of Public Instruction or a designee; Representative of a program that provides senior and long-term care services appointed by the Director of the Department; Six members of the public, appointed by the governor. Public members of the Council shall serve 3-year terms beginning January 1. The Council’s mission is to: Advise and make recommendations to the DPHHS and other state agencies; encourage citizen participation through the establishment of public hearings and other types of community outreach and prevention activities; encourage and stimulate research, public awareness, education and prevention activities; and advise the Department on the expenditures of the brain injury account and any grants made from that account. The Council’s mission shall also be to make recommendations to the Indian Nations on ways to improve and develop services regarding brain injury.

The Council meets quarterly. At least one meeting is held through a conference call.

Montana Autism Education Project

Doug Doty, Coordinator, Montana Autism Education Project, gave the following report regarding the Montana Autism Education Project.

The Montana Autism Education Project (MAEP) of the Division of Special Education has provided consultation/training visits from the three MAEP autism consultants to 27 school districts across the state so far this year. These consultation visits are available to any school district serving students with autism and typically last one or two days with a follow-up report and the opportunity for further visits.

The MAEP will be paying the registration fees for local staff in the Missoula and Billings areas to attend autism conferences this spring and summer. This provides increased opportunities for staff training with little or no cost to districts and is a way of supporting autism conferences. We are also paying for a nationally recognized autism speaker to appear at the Montana CEC conference and are looking at bringing back advanced training in the PECS communication system as a follow-up to the 2010 PECS trainings in Kalispell, Belgrade and Miles City. These two-day trainings cost less than \$80 per attendee, which was necessary to cover the cost of materials.

Other ways the Montana Autism Education Project has been working to support schools in educating students with autism are:

Providing information about educating students with autism either by sponsoring the cost for a webinar at multiple locations (18 sites in March, from Plentywood to Libby) or sharing information about free webinars on the Montana Autism Education Project blog (<http://www.opi.mt.gov/autism/maep>). The increasing use of webinars and sharing information through the internet makes a great amount of autism knowledge available anywhere, anytime. The MAEP blog is updated several times a week with news, information and upcoming trainings about autism and Asperger's.

Piloting a two-day training in developing functional behavior assessments and behavior interventions for students with problem behaviors. Although the training is focused on students with autism, the information from the training can be used with any student who has behavior problems. This training will be replicated across Montana.

This school year the MAEP began providing a monthly half-day training and follow-up consultation to 11 districts in Northwest Montana. The 40 staff attending each training are given homework assignments which are then reviewed by the MAEP autism consultants, in addition to side-by-side consultations. The purpose of this training model is to develop the autism expertise of staff in each participating district. The feedback about this training model from the special education teachers, school psychologists and administrators has been very positive. We will be doing this same intensive autism training and consultations for schools in the Bitterroot Valley and Missoula area in the 2011-2012 school year. In the following years, we will share this model across the state.

Annual Performance Report/ARRA Funds/Allocation

Frank Podobnik informed the Panel that the Revisions to the APR, Revisions to Indicators in the APR and Revision to the SPP were mailed on April 12, 2011. The OSEP will review the revisions and provide a response in June.

Frank noted that the ARRA funds will expire September 30, 2011.

Public Comment

There were no public comments at this time.

Meeting Dates

July 7, 2011 (One-day Meeting)
September 22-23, 2011

Agenda Items

July 7, 2011

State Determination
PLUK, Overall Operation of PLUK
Levels of Determination
Recognize Outgoing Panel Members
Election of Officers

September 22-23, 2011

Orientation
Aftermath of Legislature
Overview of Special Education Projects
CSPD

Adjourn

Dave Mahon moved to adjourn the meeting, Terry Galle seconded the motion and the motion passed. The meeting adjourned at 11:30 a.m.